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Attorney for Defendant,  
**ALFA LAVAL INC.**

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**  
**SACRAMENTO DIVISION**  
**AT LAW AND IN ADMIRALTY**

**DENNIS C. PAYNE and SUSAN PAYNE,**

Plaintiffs,

vs.

**ARB, INC., et al.,**

Defendants.

Case No. 2:20-CV-01198-MCE-AC

**DEFENDANT ALFA LAVAL INC.'S  
NOTICE OF TAKING VIDEOTAPED  
DEPOSITION AND REQUEST FOR  
PRODUCTION OF DOCUMENTS TO  
PLAINTIFF DENNIS C. PAYNE**

**DATE:** July 22, 2021  
**TIME:** 9:00 A.M. (PDT)  
**LOCATION:** Via Zoom set-up by Veritext  
Legal Solutions

**Complaint Filed:** September 4, 2020  
**Trial Date:** Not Set

**TO ALL PARTIES HEREIN AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that Defendant Alfa Laval Inc. (Defendant) hereby notices the Deposition of **DENNIS C. PAYNE** on **JULY 22, 2021** at **9:00 A.M. PACIFIC TIME** via **VIDEOCONFERENCING and TELEPHONICALLY.**

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PLEASE TAKE NOTICE that the discovery deposition of the following-described person will be taken pursuant to the Federal Rules of Civil Procedure and other applicable rules and statutes; that said deposition will be taken before a Notary Public and certified Shorthand Reporter, or any other officer authorized by law to take depositions in like cases.

**WITNESS:** Dennis C. Payne

**DATE:** July 22, 2021

**TIME:** 9:00 a.m.

**PLACE:**

<https://proceedings.veritext.com/?token=7e2753cc33801f44f7428df57862a0bb>

**Meeting ID: 97246058988**

**Password: 7DDIIgk36Y**

Dial by your location:

+1 3017158592 US (Washington DC)

+1 3126266799 US (Chicago)

+1 6465189805 US (New York)

+1 2133388477 US (Los Angeles)

+1 6027530140 US (Phoenix)

+1 8335480276 US ()

+1 8335480282 US ()

+1 8778535257 US ()

+1 8884754499 US ()

**Meeting ID: 97246058988**

**Password: 1083117972**

This oral examination will be subject to continuance or adjournment from day to day (excluding weekends and holidays) or place to place until completed.

### **INSTRUCTIONS**

1. You are requested to produce not only those writings in your possession, custody or control, but also those writings reasonably available to you, including those in the possession, custody or control of your attorneys, agents, or any other person acting on your behalf.

2. You are requested to produce all writings in the same form and order as they were kept prior to this notice to produce.

3. In the event you are able to produce only some of the writings called for in a particular request, please produce all writings you are able to produce.

**DEFINITIONS**

1  
2 1. "Document" or "writing" refer to all materials, however produced or reproduced, in  
3 your actual or constructive possession, custody, care or control; and includes, but is not limited to,  
4 originals, copies, non-identical copies, and preliminary, intermediate, and final drafts of all writings  
5 as defined by Evidence Code Section 250: "Writing means handwriting, typewriting, printing,  
6 photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every  
7 other means of recording upon any tangible thing, any form of communication or representation,  
8 including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record  
9 thereby created, regardless of the manner in which the record has been stored." A reference herein  
10 to any one or more of these types of writings shall be construed to include all other types of writings  
11 without limitation.

12 2. "You" and "your" refers to plaintiff(s), the allegedly injured party, his/her agents,  
13 his/her attorneys, and anyone on his/her behalf.

14 3. "All" and "any" means "any and all."

15 4. "And" includes "or" and "or" includes "and."

16 5. When the context so requires, references to the masculine gender includes the  
17 feminine and neuter, the feminine gender includes the masculine and neuter, the singular includes  
18 the plural, and the plural includes the singular.

19 **WRITINGS AND OTHER TANGIBLE ITEMS REQUESTED**

20 1. All documents and writings allegedly concerning, proving illustrating, or describing  
21 the asbestos products which the injured party allegedly used or to which the injured party was  
22 allegedly exposed.

23 2. All union records concerning the allegedly injured party in your possession, custody  
24 or control.

25 3. All documents and writings allegedly concerning, proving or indicating the damages  
26 sought in this lawsuit.

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1           4. All documents and writings allegedly concerning, proving or indicating how the  
2 injured party allegedly used the asbestos products and how the injured party was allegedly exposed  
3 to the asbestos product.

4           5. All documents and writings concerning or constituting communications (written or  
5 verbal) to or from any labor union concerning whether the injured party was exposed to asbestos.

6           6. All documents and writings concerning plaintiff's knowledge that the plaintiff or  
7 injured party allegedly had contracted an asbestos-related injury, illness or disease.

8           7. All documents and writings (e.g., photographs) under the control or in the possession  
9 of the plaintiff(s) showing any materials or products containing asbestos with which the injured  
10 party worked or to which the injured party was exposed in his or her occupation.

11           8. Any and all containers (e.g., boxes, cans, buckets, sacks, etc.) under the control or in  
12 the possession of the plaintiff evidencing or containing any products the injured party claims to have  
13 worked with which he believes contains asbestos.

14           9. All documents and writings (e.g., photographs) showing the names of employers,  
15 locations, and jobs that the injured party worked on, including any work diaries.

16           10. Any documents and writings (e.g., articles, papers, and/or notes) concerned with  
17 health hazards associated with asbestos materials under the control or in the possession of the  
18 plaintiff.

19           11. Copies of all medical bills incurred due to the injured party's alleged medical  
20 condition, which is the subject of this lawsuit.

21           12. All documents evidencing claims made on behalf of plaintiff (and/or decedent) to any  
22 settlement trust, bankruptcy trust, or any entity, organization or fund for compensation for an injury  
23 claimed to have been caused by exposure to asbestos.

24           13. All documents, notes, letters and papers evidencing claims made by plaintiff or on  
25 plaintiff's behalf to any settlement trust, bankruptcy trust, or any entity, organization or fund for  
26 compensation for an injury claimed to have been caused by exposure to asbestos.

27           14. All personal and/or work diaries kept by the allegedly injured party at any time.

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1           15. All documents and writings representing, recording, or referring to any disability  
2 pension or disability insurance benefits received by the allegedly injured party or  
3 claims/applications by the allegedly injured party for such benefits.

4           16. All writings representing, recording, or referring to public or private medical  
5 insurance benefit plans for the allegedly injured party, including, but not limited to, writings which  
6 refer or relate to amounts actually paid to health care providers for diagnosis and treatment of  
7 asbestos related conditions.

8           17. All writings representing, recording, or referring to workers' compensation benefits  
9 received by the allegedly injured party or to any claim/application by him/her for such benefits.

10           18. All writings (excluding confidential attorney-client communications) representing,  
11 recording, referring to or arising out of any claims or lawsuits filed by the allegedly injured party,  
12 other than this lawsuit.

13           19. All writings representing, recording, or referring to expenses, loss of income, or other  
14 damages being claimed by plaintiff(s) in this lawsuit.

15           20. All writings representing, recording, or referring to the names of employers for which  
16 the allegedly injured party worked.

17           21. All documents which contain names, addresses and/or telephone numbers of  
18 coworkers and supervisors from job sites where plaintiff claims exposure to asbestos.

19           22. All documents in your possession or control which you read or reviewed in order to  
20 prepare for your deposition, including but not limited to, documents which you read or reviewed in  
21 order to identify the materials or products containing asbestos that the injured party used or to which  
22 he was exposed.

23           23. All documents in your possession or under your control which you read or reviewed  
24 which refreshed your recollection about the materials or products containing asbestos that the  
25 injured party used or to which he was exposed.

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24. Any item of protective clothing (such as gloves, mittens, coats, pants, or overalls) in your possession or under your control which the injured party wore or to which he was exposed.

Dated: July 12, 2021

**HAWKINS PARNELL & YOUNG LLP**

By: \_\_\_\_\_



Ana T. Reeg  
Attorneys for Defendant,  
**ALFA LAVAL INC.**

**CERTIFICATE OF SERVICE**

The undersigned counsel for Defendant Alfa Laval, Inc. hereby certifies that a true and correct copy of the forgoing document was filed with the Court and served electronically through CM-ECF (Electronic Case Filing) system to all counsel of record to those registered to receive a Notice of Electronic Filing for this case on July 12, 2021.



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ANA T. REEG